

**MINUTES OF THE HUNTSVILLE TOWN
PLANNING COMMISSION MEETING**

MEETING DATE: March 25, 2021

PLACE: Electronic Zoom Meeting with anchor location at Town Hall
7309 East 200 South, Huntsville Utah

TIME: 7:00 p.m.

NAME	TITLE	STATUS
Doug Allen	Planning Commission Chair	Present
Sandy Hunter	Planning Commissioner	Present
Liz Poulter	Planning Commissioner	Present
Jeff Larsen	Planning Commissioner	Present/Zoom
Larel Parkinson	Planning Commissioner	Present/Zoom
Steve Songer	Planning Commissioner	Present/Zoom
Blake Bingham	Town Council Liaison	Present
Beckki Endicott	Recorder	Present
Bill Morris	Town Attorney	Present/Zoom

Citizens: Steve Johnson, Dale Grant, Richard Sorensen, Josh Garner, Dakota Hyde, Jeff Hyde, Brant McConkie, Aimee McConkie, Mark Bates, Tom Freeman, Jenny Freeman, Rich & Daisy Carlson, Dave Grant

1-Roll call: Chairman Allen welcomed all who are attending the meeting.

2-Approval of Minutes for Planning Commission Work Session February 18th, 2021. (See Attachment #1) **PCM Sandy Hunter motioned to approve the amended minutes from February 18th, 2021.** PCM Liz Poulter seconded the motion. Roll Call Vote. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Liz Poulter Commissioner Larel Parkinson Commissioner Sandy Hunter Commissioner Steve Songer Commissioner Jeff Larsen
NAYS:	

3-Approval of Minutes for Planning Commission Meeting 2-25-2021. (See Attachment #2) **PCM Liz Poulter motioned approve the amended minutes from PC Meeting 2-25-21.** PCM Sandy Hunter seconded the motion. Roll Call Vote. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Liz Poulter Commissioner Larel Parkinson Commissioner Sandy Hunter Commissioner Steve Songer Commissioner Jeff Larsen
NAYS:	

4-Land Use Coordinator Update: Rex Harris. Rex is not attending Planning Commission Meeting tonight.

5-Discussion and/or action on Subdivision Application for Steve Johnson, parcel #240140007, #240140037. (See Attachment #3) Steve Johnson stated the parcels are located at 7382 East 100 South. He stated both parcels total 4.16 acres. The parcel #240140037 is 1.005 acres. It is the parcel with the existing house. The remaining acreage would stay on parcel #240130014. Steve clarified that parcel #240140037 will change to #240130014 when Weber County records the adjustment. Steve explained that each parcel will have at least 140 feet of frontage and both have enough acreage.

PCM Larel Parkinson asked Steve Johnson if he wanted to subdivide with a road in the front and give access to additional property in the back. Steve stated he does not have enough for 260 feet plus the additional 66 feet for the road. However, he could put in a road that would create additional frontage and he is satisfied with that option.

PCM Sandy Hunter motioned to recommend for approval the Subdivision Application for Steve Johnson on parcel # 240140037 and #240140007. PCM Larel Parkinson seconded the motion. Roll Call Vote. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Liz Poulter Commissioner Larel Parkinson Commissioner Sandy Hunter Commissioner Steve Songer Commissioner Jeff Larsen
NAYS:	

6-Discussion and/or action on Land Use Permit for Kerry Wangsgard trailer. (See Attachment #4) Kerry Wangsgard is not in attendance. Chairman Allen summarized that Kerry Wangsgard came to the Planning Commission in November 2019 for a Land Use Permit to replace his mobile home. The Land Use Permit was denied by the Planning Commission. The Appeals Board met in December 2019. The Appeals Board decided in favor of replacing the mobile home if the mobile home was the same dimensions or less than the existing mobile home. The Appeals Board met again in October 2020 clarifying their decision for Rex Harris, Land Use Coordinator.

The Appeals Board made a motion to approve the replacement of the existing mobile home if the new mobile had the same interior square footage or less than the existing mobile home. Kerry Wangsgard has now asked to the Planning Commission for a Land Use Permit on a new mobile home.

PCM Sandy Hunter stated the existing mobile home was measured by Rex Harris and other Planning Commission members. She stated the measurements of the existing mobile home are 52.2 feet long and 13 feet 10 inches wide. This would be 722 square feet. The mobile home Kerry Wangsgard has presented is 66 feet long by 13.4 inches. This is 880 square feet. This is 158 square feet or 22% larger than the new mobile home.

PCM Sandy Hunter stated that Kerry submitted the measurements of the existing trailer as 58 feet by 14 feet. This would be 812 square feet. PCM Jeff Larsen asked if Kerry Wangsgard came back to the Appeals Board and asked for an exemption. TCM Blake Bingham pointed to the second Appeals letter from December 2020.

Chairman Allen stated the Appeals Board made their decision and the Planning Commission is bound by the decision they made in December 2020.

PCM Liz Poulter motioned to deny the Land Use Permit for parcel #240180052 because the proposed trailer does not have the same square footage of the existing mobile home. PCM Jeff Larsen seconded the motion. Roll Call Vote. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Liz Poulter Commissioner Larel Parkinson Commissioner Sandy Hunter Commissioner Steve Songer Commissioner Jeff Larsen
NAYS:	

7-Discussion and/or action on Land Use renewal and site plan revision for Granary and Cabins at The Mercantile, parcel #240140223, 7390 East 200 South. (See Attachment #5) Richard Sorensen explained they came to the Planning Commission last year for a Land Use Permit to do some additional work at The Mercantile. He submitted for a building permit and there were some issues. In the meantime, they hired a new landscape architect and realized the cabins were in the wrong place. The cabins were originally located close to the road. They want to move them north into the property, closer to the septic system. There are no lot line concerns, they are just making a change. The parcel is all one parcel. The bathrooms are still being added to the Granary. Richard is also looking for an extension on the Land Use Permit. The previous Land Use Permit expires 9-24-21. **PCM Sandy Hunter motioned to approve the Land Use Permit for site plan revisions and the Granary at parcel #240140223, 7390 East 200 South.** PCM Larel Parkinson seconded the motion. Roll Call Vote. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Liz Poulter Commissioner Larel Parkinson Commissioner Sandy Hunter Commissioner Steve Songer Commissioner Jeff Larsen
NAYS:	

8-Discussion and/or action on renewal of Land Use Permit for Richard & Regan Sorensen residence, parcel #240230004, 469 South 7500 East. (See Attachment #6) Richard stated that nothing has changed about their previous plans. Their Land Use Permit from January 2020 has expired. **PCM Sandy Hunter motioned to renew the Land Use Permit for the Sorensen's, parcel #240230004.** PCM Jeff Larsen seconded the motion. Roll Call Vote. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Liz Poulter Commissioner Larel Parkinson Commissioner Sandy Hunter Commissioner Steve Songer Commissioner Jeff Larsen
NAYS:	

9-Discussion and/or action on Aimee McConkie Land Use Permit, Lot 4 Pineview Point, 6560 East 100 South. (See Attachment #7) Aimee and Bryant McConkie stated they are remodeling this home. They are taking the porch areas and enclosing those areas to expand the living area inside the home. **PCM Sandy Hunter motioned to approve the Land Use Permit for the McConkie's at 6560 East and 100 South, Pineview Point, lot 4.** PCM Liz Poulter seconded the motion. TCM Blake Bingham pointed out that the home is non-compliant, but they are not expanding the footprint. This will be noted on the Land Use Permit. Roll Call Vote. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Liz Poulter Commissioner Larel Parkinson Commissioner Sandy Hunter Commissioner Steve Songer Commissioner Jeff Larsen
NAYS:	

10-Discussion and/or action on Amendment #3 of Dale Grant Subdivision, parcels #241300001, #241390002 and #241300003. David Grant, son of Dale Grant presented. **(See Attachment #8)** The Grants sold a lot that was in the middle of their subdivision. Josh Garner bought the lot in between the Kyle's and Dale Grant. The Grants would like to keep their family lots together. They would like to reconfigure the lots so that they can exchange ownership with Josh Garner. The Grants would like to see the plat approved tonight along with granting a Land Use Permit for Josh Garner.

PCM Sandy Hunter read the subdivision amendment ordinance:

15.25.1.12 Vacating or Changing a Subdivision Plat Any petition to vacate or change a subdivision plat will be reviewed by the Huntsville Town Council at a public hearing. Notice of said meeting will be emailed to 1) "affected entities if multi-unit residential, commercial or industrial subdivision, 2) a) to the record owner of each parcel within specified parameters of that property, or b) posted, on the property to give notice to passers-by and published in a local newspaper for four (4) consecutive weeks.

Beckki will call the newspapers tomorrow and set the date for the public hearing at the Town Council Meeting for Thursday, May 6th, 2021.

PCM Sandy Hunter motioned to recommend for approval the subdivision third amendment of the Dale Grant Subdivision application, parcel #241300001, #241390002, #241300003. PCM Jeff Larsen seconded the motion. Roll Call Vote. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Liz Poulter Commissioner Larel Parkinson Commissioner Sandy Hunter Commissioner Steve Songer Commissioner Jeff Larsen
NAYS:	

11-Discussion and/or action on Conditional Use Permit for Compass Rose Lodge Phase II, parcel #241200003, 240140018 (Part), 240140019 (Part), 198 S 7400 East. (See Attachment #9)

PCM Sandy Hunter wanted to know if plans included private ownership or hotel units. Dakota Hyde responded that the industry term is called a condo hotel unit. The idea is that different parts of the building could be subdivided and sold. There would be a plat survey done during the building phase so that they are prepared to sell the units. The units would become their own plats.

TCM Blake Bingham wanted to know about the parcel numbers that are on the Conditional Use Permit. Dakota stated he took these descriptions from the development agreement on March 23, 2016. This was a one full acre lot. The bank asked that they draw a line down the middle of the

lot (east to west). This was done for collateralization purposes. Dakota stated they have never been through the Town's subdivision process to divide the lots. The parcel numbers #240140018 (Part) and #240140019 (Part) were listed in the legal description of the development agreement. Dakota believes they were remnants of the original lots north of them. The Hyde's lot that they are developing on is referred to as lot #3 or #241200003. TCM Blake Bingham stated these parcel numbers have now changed on the Weber County map.

Phase II will add an additional 6 rooms to the 15 rooms in Phase I. The Hyde's do plan on applying with the State for a Condominium Declaration. The rooms will have kitchenettes. Dakota went on to say that this is a very common business practice. There are small hotels in McCall, Idaho and Park City, Utah that are Condo Hotels. He stated to the public, these will look like hotel rooms. The rooms are individually owned but managed by the hotel. PCM Liz Poulter clarified that this was an additional way to receive investments. Dakota Hyde agreed with that statement.

They are looking to add a hot tub and personal services such as massage. There will be two units on the bottom floor that could be a brick oven pizza shop or a deli. They are also considering a salon. They are planning on selling these spaces.

The façade of the phase II building will face west. Dakota stated during the time they were planning the hotel, there were some that expressed concern about noise and having attendants on the property. As far as he is aware, there have not been any complaints against the hotel. He explained they have attendants there from 7 a.m. until 10 p.m. From 10 p.m. and during the evening Scott Roberts, who lives kitty corner to the park, has a phone for after hours. He is able to be at the hotel within 1-2 minutes. He explained they have strict rules. When they have bigger events, they plan to have them end before 10 p.m.

Currently they are still working with an architect. Dakota asked if Huntsville would be able to submit for a building permit on only the foundation. He believes they could get the engineering done faster if they could divide the building project up into two parts. Both Dakota and Jeff Hyde believe that Sunrise Engineering is very slow right now. Beckki expressed that she has not had problems with Sunrise being slow. Dakota will keep in touch with Beckki.

Attorney Bill Morris entered the meetings.

PCM Jeff Larsen asked about going above the 16 units and how to include the now divided parcel, now multiple parcels, in the Development Agreement.

Bill Morris explained that the Hyde's included both hotels with less than 16 rooms and hotels with more than 16 rooms on their 2016 conditional use application. Dakota explained that the "units" in their development agreement does not refer to "rooms." The "unit" refers to an independent functioning commercial "unit." The hotel rooms would not be able to function on their own.

TCM Blake Bingham wanted to address the parcel questions. He stated that the Town does not recognize the division in the parcels. He believes that we can work to resolve it. Dakota stated

that the Development Agreement covers the entire one-acre parcel, regardless of a division. If they are to resolve it, they need to talk to their bankers. TCM Blake Bingham felt that it would be best for the Hyde's to file a subdivision application to resolve the issue. Dakota feels it would be easier to abandon the line.

PCM Parkinson asked if the process for an overlay zone was abandoned. Bill Morris confirmed there was no reason for the overlay zone. The development agreement from 2016 was still in effect.

PCM Sandy Hunter motioned to recommend for approval the application of the Hyde's Conditional Use Permit for the Compass Rose Lodge, phase II, parcel numbers #241200004 and #241200005 with the clarification that the number of rooms that will be added will be 6 and not "several" which was the wording on the application. PCM Liz Poulter seconded the motion. Roll Call Vote. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Liz Poulter Commissioner Larel Parkinson Commissioner Sandy Hunter Commissioner Steve Songer Commissioner Jeff Larsen
NAYS:	

12-Discussion on Ordinance 2021-4-22: An Ordinance of Huntsville Town, Utah Repealing and Re-enacting Chapter 15.27 updating annexation to comply with changes to state law; severability; and providing an effective date. (See Attachment #10) TCM Blake Bingham stated this is an update of our ordinance on Annexation. There have been many changes at the State level. We are updating our code to match the State Code. TCM Blake Bingham stated it is unfortunate that the code for the State has a lot of references to Class 1 cities, which makes it difficult to read. Beckki printed the State Code, and it is long. She is providing a printed version to the Planning Commission. She is looking for a good summary to share with the Planning Commission.

Attorney Morris stated this is a clean-up of Huntsville's Code. Beckki stated she has already submitted a Public Hearing Notice for this ordinance to the Valley News. It will be published on April 1st.

PCM Larel Parkinson asked if there needed to be a public hearing for the Phase II project at the Compass Rose Lodge. Beckki responded that the Compass Rose Lodge is applying for Conditional Use and it does not require a public hearing.

13-Discussion on Annexation of Sage Development. (Attachment #11) Chairman Allen stated he has been to several meetings with Sage regarding their development. They are planning to petition the Town for Annexation. There will be some things to consider when thinking about accepting the annexation by the development. One is water connections. PC Chairman Allen

stated it would be required of them to do wetlands delineation. TCM Blake Bingham stated the wetlands delineation is not required for the annexation.

Attorney Morris agreed with TCM Bingham. The Town needs to think about the annexation and the development as two separate processes. Attorney Morris stated they would need the wetlands delineation when it came to the development to get the lot spacing. He stated there needs to be some consideration with regards to annexation. The first is the Annexation Policy Plan. The proposed area for the Sage Development is a space that Huntsville put into the Annexation Policy Plan. The land was intended for annexation in the Annexation Policy Plan that Huntsville adopted some years ago. The Annexation Plan is also in Huntsville's General Plan. Attorney Morris stated he knows that this area has been discussed with regards to being a good place for commercial development. The Sage Development is a residential plan. Attorney Morris stated that in a development agreement the zoning of the development would be determined.

The Sage Development will develop these lots regardless of whether Huntsville decides to annex them or not. Sage is asking that the infrastructure of the development be private. The Town would not have the costs of the roads or plowing. He also stated Huntsville can consider setting up a special district where the Town would provide services for a fee or tax. These considerations are things to consider at the development or subdivision stage of the process. These stages come after the Annexation.

Attorney Morris stated Chairman Allen was right that delineation of the water will make a determination in the size of the development. The development is already working on the delineation. However, this will not be a requirement in order to annex. TCM Blake Bingham stated that it should be considered in the process of annexation but not a determining factor. Attorney Morris stated the Town can annex wetlands. The wetlands will still be governed by the Army Corps of Engineers regardless of the boundary lines.

Chairman Allen is most concerned that the process of annexation go forward in a correct and lawful way. Huntsville does not have a lot of experience with annexation. Attorney Morris stated he would work with the Town to follow the State Code.

TCM Blake Bingham that there were two additional concerns that the Town Council has brought up. One is whether there is enough water to sustain the development. The other concern is the HOA or private part of the development and what happens if the HOA fails.

PCM Larel Parkinson asked if there were benefits beyond those that are financial. The other question he has is if there is enough water. He believes there is water there, but he is unsure whether it is feasible to tie into the system. PCM Larel Parkinson wanted to know if they were approved in Weber County for the 21 lots. Chairman Allen does not believe the County has done approvals. PCM Larel Parkinson expressed concern that Sage is telling everyone that they are developing 3 acre lots, but nothing has been approved. He is concerned that if annexed into Huntsville, there is a possibility of them developing .75 acre lots. He wants to know if Huntsville can put a restrictive covenant on the lots against dividing those lots. He asked Attorney Morris if this is feasible. Attorney Morris stated this is part of the annexation agreement. Also in the development agreement, this will be an additional control.

TCM Blake Bingham addressed the question of other benefits. He stated the Town's full-time population is shrinking, and it would be good to have additional residents in Town to provide volunteers and community. Attorney Morris added that another benefit would be regulatory control over the development. If the land stays in the County, they have jurisdiction.

Beckki wanted to let the PC know that she has a copy of the Annexation Policy Plan and is happy to provide that to anyone that wants to request it.

PCM Liz Poulter wanted to ask Ron Gault his views about the pros and cons of annexation. Ron gave a list of the issues he has been thinking about:

- 1) The look and feel of Town development and the .75 acre lots. The Sage developments 3 acre lots would not have the same look and feel as the .75 acre lots.
- 2) Huntsville will have control over the development if they annex. The Weber County Planning Commission will have the control if we do not annex.
- 3) With regards to water, he believes that Huntsville will collect more in fees if the development is not annexed because we charge additional amounts for out-of-Town fees. Attorney Morris stated the development has already agreed to out-of-Town fees; however, this is not in writing.
- 4) HOA's, what happens if the HOA fails. What kind of obligations will the Town have if the HOA fails? He believes they should have a very detailed agreement.
- 5) Sensitive Lands – this has already been discussed tonight.
- 6) Where is the development going to get secondary water? Ron stated in the past the Town has given culinary connections to those who do not have a secondary water source. TCM Blake Bingham stated the landowners have shares in Huntsville Waterworks and they have independent water rights on the property. He believes this is a distinction between them and Monastery Cove.

Attorney Morris suggested it would be a good thing that Sage is planning for 3 acre lots and more open space than the .75 acre lots. PCM Sandy Hunter stated she did not like the idea of an HOA and gates preventing the flow of residents in and out of the development. If the development wanted to be part of the Town, she believes residents who live in other parts of the Town should be able to bike and walk in the streets of that HOA. Attorney Morris said that was a good point to bring up in the Annexation agreement. PCM Sandy Hunter would like them to be part of the Town.

Chairman Allen's last concern is the traffic on Highway 39 that turns and goes to Causey Reservoir. This is the busiest intersection in the Valley.

Attorney Morris left the meeting at 9:24 p.m.

Beckki let the PC know that there would be a public hearing on April 22nd regarding the three annexation petitions (Sage, Fire House 65, and Jordan Curtis) and the update of the ordinance. Beckki suggested the PC plan on another item for additional items of business.

Beckki asked the Planning Commission about the Land Use Permit for Josh Garner. TCM Bingham stated during the meeting that the Land Use Permit could be issued while the subdivision plat was being amended. Beckki stated that Josh Garner wants to build on a lot that he currently does not own. She did not believe that the PC could issue a Land Use Permit on a lot he did not own. He would need to wait until after the plat was adjusted and the ownership changed.

The Planning Commission suggested April 13th as a possible date to hear other items of business.

12-Public Comment. There were none.

13-Chairman's Remarks. Chairman Allen thanked all for the discussion.

14-Motion to adjourn.

PCM Sandy Hunter made a motion to adjourn the meeting. PCM Larel Parkinson seconded the motion. All votes Aye. Motion Passes.

Meeting is adjourned at 9:40 p.m.


Beckki Endicott, Recorder

WORK SESSION – February 18, 2021
Huntsville Town Planning Commission & Town Council

Minutes of the joint Huntsville Town Planning Commission and Huntsville Town Council Work Session held at Town Hall 7309 East 200 South, Huntsville, Utah at 6:00 PM. The meeting was joined by Zoom Calls. The topic of the meeting is Phase II of the Compass Rose Lodge.

Attending at Town Hall: PC Chairman Doug Allen, Mayor Truett, TCM Max Ferre, TCM Blake Bingham, Jeff Hyde, Dakota Hyde, Beckki Endicott - Recorder

Attending on Zoom: TCM Richard Sorensen, PCM Larel Parkinson, PCM Liz Poulter, Rex Harris, Ron Gault, PCM Sandy Hunter, TCM Wendy McKay, PCM Steve Songer

Chairman Allen roll called all in attendance at Town Hall and on Zoom. Chairman Allen turned the time over to Rex Harris to summarize the purpose of the work session. Rex Harris recounted the Hyde's purchased property in the center of Town from Huntsville Town. They built the Hotel that stands currently. After they built the Hotel, the Town changed the Allowable Use Table to prohibit Hotels. During the time the plans were being made for the Hotel, the Town Administration was aware there was going to be a phase two of development on the lot. The Hotel was the first phase of commercial development. The specifics of the plan was not known by the Hyde's or the Town, but everyone had planned for additional square footage. Since the specifics were not known for phase II, they were not outlined in any kind of plan. The additions of phase two have always been talked about generally.

Rex stated the Hyde's came to him a few weeks ago with specific plans for phase II. Because of the changes to the Allowable Use Table, Rex has suggested a rezone, or overlay zone that would be able to allow what they are proposing tonight. He stated the Town has always been aware that there would be an expansion of the lodge and development. The septic tank and drain field were designed for this expansion. He turned the time over to the Hyde's to present their proposal for phase two.

Dakota prepared a short presentation to help the Planning Commission and Town Council visualize the proposal for the development.

Dakota stated in 2016 they submitted a Conditional Use Permit for a commercial style village that would provide for a variety of amenities and uses under Huntsville's Allowable Use Table. The Use Table was highlighted with desires for use and was submitted as part of the Conditional Use Permit Application. At the time, the hotel with less than 16 rooms was allowed. Also allowed was a hotel with more than 16 rooms. This is no longer the case. Dakota showed a picture of the site plan submitted in 2015 and there are three buildings. The first building with the Lodge, First Lift Coffee and Observatory, was built. The application that was approved included 2 additional mixed-use units yet to be built. Today, they are proposing a building number two. Dakota pointed out in the updated General Plan for Huntsville, updated December 2020, the plan refers to an additional building that would be built next to the Hotel by the same developer.

The Hyde's are applying for an SDP Overlay Zone because the current Allowable Use Table does not include hotel rooms. Dakota stated on their application for the SDP Overlay Zone they are applying for a condominium project that would allow mixed use. The development would need to allow for both commercial and transient lodging units. All units will be managed by the Compass Rose Lodge.

Dakota went on to describe the easement that was placed around the lot where the Hyde's have development. This reduced their ability to have four facades, they now have three facades. The building they are proposing faces South. There are three units on the bottom of the building. They are proposing the first room for a hot tub, massage, and exercise area. This type of area is highly requested by their guests. The additional two rooms on the bottom would be commercial units. Some of the possibilities for the space are pizza shop, small sundry and grocery shop, bistro to go, etc. The space would be for small businesses. All these uses mentioned are on the current Allowable Use Table. They would not need an additional zoning.

The second level of the proposed building is seeking six additional "hotel rooms." Mayor Truett asked if the rooms will have kitchens. Dakota said the rooms will have a sink, microwave, and fridge. The rooms would be more of a hotel suite.

Chairman Allen was wondering why, if this was in the original zoning, would they need to form an overlay zone. Ron Gault, who was the planning commission chair in 2016 said the Hyde's did not know the specifics of this part of the development. They have had a couple of years being open and now know their customers needs. In his opinion, what they are proposing today is much in line with what they proposed in 2016. The Planning Commission in 2016 wanted to see additional small commercial development that would also meet the Town resident needs.

Dakota also wanted to add that he spoke with the State's property rights ombudsman. The ombudsman suggested that the Hyde's were already vested to the Allowable Use Table in 2016 and that Allowable Use Table allowed for additional hotel rooms. He stated the Conditional Use Permit was still active. He suggested the Town ask for an opinion from Attorney Morris on whether the Conditional Use Permit was still in effect. The only detrimental effect in the agreement that they mitigated was "sound."

Chairman Allen wanted to ask the Hyde's about the parcel descriptions. The Hyde's parcel was split into two parcels. Dakota stated this was done for loan purposes. The Hyde's do not want to combine the parcels. Dakota stated the two parcels are separated because phase one and phase two are separate loans. They do not want the phase two project to be collateralized by phase one. Rex commented the Town did not know the parcel had been divided. He is suggesting the overlay zone be over both current lots because Huntsville Town does not recognize those lots as two lots. The County accepted the subdivision of the Hyde's without approval from the Town. Both PCM Sandy Hunter and Chairman Allen agree.

Rex is concerned about parcels or pieces being broken up and sold off to other ownerships that might not be subject to agreements the Town made with one ownership. Dakota stated

they were not advised by the Town leadership at the time that they needed to go through the process to subdivide. He would like the members here tonight to know that they have abided by the Development Agreement made with the Town. He believes that multiple ownerships would not have been allowed by their Development Agreement.

Mayor Truett asked what the timeline looks like. Jeff Hyde responded they would like^{to} start construction by June 1st this year. TCM Richard Sorensen is concerned about the citizen response. He also expressed concern regarding the mechanics of the overlay zone. He stated in his recent experience with the overlay zone, the residents did not support it and the development did not go through. TCM Wendy McKay agreed with TCM Sorensen.

Mayor Truett asked Dakota about the definition of condominiums. Dakota stated he recognized there had been previously failed attempts at the overlay zone. He also stated he believed that referendums are not supported by the US Constitution. Dakota stated the condominiums is a legal term. It is a model that allows the Hyde's to have private owners of the units, whether private or commercial for each space. To clarify, he stated the units are not "decked out" like a residence. They will not have full kitchens and the rooms are not suited for full time living. Dakota wanted to state "for the record," their hotel is a condo hotel. There are several models of these "condo hotels." There is one 20 room inn in McCall, Idaho and there is one in Park City as well. Some rooms have private owners. Dakota stated they recognized that no one is going to stop the purchasing of second homes in the Valley. What they are offering is the opportunity for affordable second home ownership and then to have responsible management of the space by the hotel. The day-to-day transactions will look like hotel rental. The Compass Rose will be in charge of managing the space. In practicality, it is six additional rooms. Legally, it allows for a variety of ownership options.

TCM McKay wanted to know if this would be considered a time-share. She stated in the original proposal, the Hyde's included condos/residences that allowed those that wanted to live in Town without a yard. The community came out against the project and the Hyde's decided on a Hotel. TCM McKay wanted to know if this could still be in the plan. Dakota responded they really liked that idea, but the parcel size constraints do not allow for it on their parcel. The Hyde's would like see this kind of development on other commercial space in Town.

Meeting was adjourned at 6:58 p.m.

Beckki Endicott, Recorder

MINUTES OF THE HUNTSVILLE TOWN PLANNING COMMISSION MEETING

MEETING DATE: February 25, 2021

PLACE: Electronic Zoom Meeting with anchor location at Town Hall
7309 East 200 South, Huntsville Utah

TIME: 7:00 p.m.

NAME	TITLE	STATUS
Doug Allen	Planning Commission Chair	Present
Sandy Hunter	Planning Commissioner	Present
Liz Poulter	Planning Commissioner	Present/Zoom
Jeff Larsen	Planning Commissioner	Excused
Larel Parkinson	Planning Commissioner	Present/Zoom
Steve Songer	Planning Commissioner	Excused
Blake Bingham	Town Council Liaison	Present
Beckki Endicott	Recorder	Present
Bill Morris	Town Attorney	Excused

Citizens on Zoom: River Hyde, Warren Lloyd, Jeff Hyde, Rex Harris, Ron Gault, Stanford Bell, Phil Clawson, Won Shim, Dakota Hyde, Diane Kaymbe, Daniel Miranker, Valin Miranker

1-Roll call: Chairman Allen welcomed all who are attending the meeting.

2-Approval of Minutes for Planning Commission Work Session January 28, 2021. (See Attachment #1) **PCM Sandy Hunter motioned to approve the minutes from January 28, 2021 with amendments and edits.** PCM Liz Poulter seconded the motion. All votes Aye. Motion passes.

3-Land Use Coordinator Update: Rex Harris. Rex wanted to follow up on the Hasenyager letter regarding the buildable lot. This was assigned to TCM Blake Bingham. TCM Blake Bingham will follow up with the Hasenyagers.

4-Land Use Permits by Consent:

- 1) Request for Land Use Permit, parcel #240190015, 350 S 7700 East, Jordan Curtis remodel of existing home. **(See Attachment #2)** Rex stated the only outside work has been the removal of the old porch and installation of a new overhead porch cover. The roof line matches the old one as far as set-backs. The new roof does not go beyond the old set back. **PCM Sandy Hunter motioned to approve the item on the consent agenda.** PCM Parkinson seconded the motion. All votes Aye. Roll Call Vote. Votes are reflected below. Motion Passes.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Liz Poulter Commissioner Larel Parkinson Commissioner Sandy Hunter
NAYS:	

5-Discussion and/or action on Land Use Permit for Phil Winston, Pineview Point, Lot #1, 125 N. 6500 East, parcel #201770001. Rex stated this is the front lot that is going in at the subdivision. Rex stated they meet all setback requirements. Mr. Stanford Bell is here in place of Phil Winston. PCM Sandy Hunter has a question on the site plan, she is wondering about the short dotted-line. **(See Attachment #3)** Rex stated the plan that is being presented has been amended. He asked them to bring the window wells behind the set back. The barn on the plan is not being built at this time. Chairman Allen asked about air-conditioning units on cement pads outside the homes. Rex stated the cement pads for these units are okay in the PUE but can be removed if there is a problem. **PCM Sandy Hunter motioned to approve the Land Use Permit for Pineview Point, Lot #1, 125 N. 6500 East, parcel #201770001.** PCM Liz Poulter seconded the motion. Roll Call Vote. All votes Aye. Votes are reflected below. Motion passes.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Liz Poulter Commissioner Larel Parkinson Commissioner Sandy Hunter
NAYS:	

Rex wanted to remind Mr. Bell that nightly rentals are not allowed in Town per our ordinances. Mr. Bell will pass that on to Phil Winston.

6-Discussion and/or action on Land Use Permit for Dan & Valin Miranker, 295 N. 6800 East, parcel #200100028. **(See Attachment #4)** Rex recounted the Miranker's came before the variance committee. They went through the process of getting approval for this lot to be a buildable lot. They do meet the side and front set back. There is an easement on the property that is 21.5 feet. In doing a title search, it has been impossible to determine how the easement has been placed. It was always assumed it was a farm access. Rex believes the easement is no longer needed. It can be vacated. To vacate an easement requires approval from the owner. Title searches have not found an owner. The property behind the Miranker property is now a subdivision. It is not an issue the Town can address. After speaking to Attorney Morris, the Town should not hold up the Miranker's process as long as they keep 10 feet. Attorney Morris advised the Mirankers to hire an attorney to work with Weber County on vacating the easement.

PCM Larel Parkinson stated that the easement goes along the back of several residences. He is wondering if the easement had to be dealt with as a whole or individually by property owner. Rex stated it would be the individual property owner.

Rex confirmed the secondary water line runs on the Anderson side of the easement. TCM Bingham wanted to confirm the 66' ROW for the street of 6800 East. Rex stated that their property ownership went to the center line of the road. The Mirankers dedicated the 33' half width to the Town and their 30-foot set-back is based off the half width. Rex stated the Planning Commission is not looking at the correct plan. Rex reported the property line is 30 feet to the west. The garage is also shifted to be 10 feet off the property line.

PCM Liz Poulter asked about the height of the home. Won Shim stated the roof line will be 31 feet. Rex stated this is a different layout. The garage space goes underneath the home and the residents will step up to the main level of the house.

PCM Sandy Hunter motioned to approve the Land Use Permit for Dan & Valin Miranker, 295 N. 6800 East, parcel #200100028. Motion seconded by Liz Poulter. All votes Aye. Roll Call Vote. Votes are reflected below. Motion passes.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Liz Poulter Commissioner Larel Parkinson Commissioner Sandy Hunter
NAYS:	

7-Discussion and/or action on Conditional Use Permit for Merilee Clawson Bed & Breakfast. (See Attachment #5) Phil showed the Planning Commission the layout for the Bed & Breakfast. On the west side of the home there is a drive to the back of the home where the parking will be for the Bed & Breakfast. The Clawson's have applied for two rooms in the home for the bed & breakfast, but they are only going to use one at this time. Phil explained that the room is already built, and they need the Conditional Permit and a Business License. Planning Commissioners asked about parking and space in between neighbors. The Clawson's asked about signage regulations. The ordinance reflects 6 X 6. **PCM Sandy Hunter motioned to recommend for approval the Conditional Use Permit for Clawson's Bed & Breakfast.** PCM Larel Parkinson seconded the motion. Roll Call Vote. All votes Aye. Votes are reflected below. Motion passes.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Liz Poulter Commissioner Larel Parkinson Commissioner Sandy Hunter
NAYS:	

8-Discussion on Hyde's presentation and application for Special Overlay Zone/Rezone and concept development plan for expansion of Compass Rose Lodge. Dakota Hyde stated they have formally withdrawn their request for an Overlay Zone.

9-Discussion on changes to Title 4 regarding Land use Permits being added to a consent agenda. (See Attachment #6) TCM Blake Bingham presented the edits made to Title 4 regarding creating a consent agenda and allowing our Land Use Coordinator the ability to approve Land Use Permits. The wording is broad and allows the Planning Commission to adopt a resolution for conditional approvals. The Planning Commission can create the conditions for which those approvals are made. Chairman Allen wanted a monthly report. TCM Blake Bingham stated technically the Land Use Permit has already been approved. A report of what has been approved and vote to accept a monthly report could be part of the agenda.

After discussion on the changes to Title 4, a public hearing should be scheduled to make the change.

10-Discussion and/or action on 15.6.2 wording added regarding breezeway restrictions on conforming lots in an R-1 zone. Discussion on providing definition of "breezeway." PCM Sandy Hunter stated the PC has attempted to define "breezeway." The PC added a definition to 15.6.2 for non-complying houses. PCM Hunter would like this applied to all structures in an R-1 zone.

TCM Blake Bingham wanted to know what the opposition is to "breezeways" on homes. Chairman Allen stated there have been many residents try to attach non-compliant structures by use of a breezeway. TCM Bingham states a resident can build a compliant structure with all of the amenities and does not need a breezeway. Rex stated that TCM Bingham is correct, the PC needs to really define what the problem is. Is the issue that we do not want two separate dwelling units on a lot? Is the issue that we are trying to prevent nightly rentals? Rex suggested if the PC can define that, then it might be easier to see how they can prevent the problem.

PCM Larel Parkinson suggested an additional dwelling located in the basement or the garage is not any different from each other. He suggested the breezeway does not stop any of that. Rex stated it seemed a nightly rental was easier to have if the structure was not connected to the house. The only ordinance that guides the land use decisions at this time is the one dwelling per lot ordinance. However our accessory dwellings do not have restrictions on amenities. TCM Larel Parkinson stated the code is already there. If the code was enforced, we wouldn't be trying to come up with the legislation to prevent it.

PCM Larel Parkinson also brought up the example of Bed and Breakfasts. He stated if a person wanted to have a nightly rental in their home, all they needed to do was call it a bed and breakfast. TCM Blake Bingham stated there are conditions that need to be met. Rex stated the Bed and Breakfast that was just approved was not accessed inside the home. It was essentially attached to the home. They did not have to interact with the homeowners. The other room was only accessed through the home. Rex stated it is a very fine line to draw between a nightly rental and a bed and breakfast.

PCM Sandy Hunter asked Rex if there was something they could do to strengthen the code. Rex stated that if we could tell residents that they needed to have the home be one structure, the families would make the homes ~~one~~ structures. He stated there are many examples of families wanting additional space because multi generations are now living on the same properties and in the same homes. There is a desire for privacy as well. PCM Sandy Hunter feels that this is an enforcement issue, and that the PC should leave the Town code as is. Rex stated he is okay with keeping the definition of one dwelling ~~unit~~ and one contiguous foundation. Rex stated it should have walls and be a certain width wide. TCM Blake Bingham ~~stated~~ gave the example of someone thinking that was too hard, and then building an accessory structure with all the same amenities that his breezeway connected structure does. PCM Larel Parkinson did point out that the breezeway did prevent the long-range connections for multiple ownerships. PCM Sandy Hunter stated the "breezeway" definition is not in the R-1 zone. Rex is asking the "breezeway" definition be applied to the regular R-1 zone.

PCM Larel Parkinson wants to put in a wood shop that he does not want to connect it to the house. It would be great to have a small bathroom, water, electricity, etc.

TCM Blake Bingham suggested that a breezeway would not help with the wood shop. However, if there is an addition to a home, it would help to make the wording in the code define something more substantial for a connection between the structures with more than a roof covering a walkway.

TCM Sandy Hunter stated that in 15.6.2 the PC needed to add to the wording "only one single-family dwelling is allowed on an approved R-1 building lot and *the dwelling must have a continuous foundation*". TCM Blake Bingham stated maybe the definition should be changed. Rex agreed.

PCM Sandy Hunter will add "continuous foundation" to the definition to a single-family dwelling. Rex suggested also adding walls and roof to that definition as well.

Beckki will check with the Town Attorney and see if this needs a public hearing. TCM Blake Bingham will draft an ordinance to put before the Town Council that says a single-family dwelling is a *structure with a contiguous foundation, fully enclosed with a roof*.

11-Discussion and/or action on Ordinance 2021-2-25: Amendments and Additions to 15.6.2 regarding fractional ownership and recreation facilities on an R-1 lot. (See Attachment #7)
TCM Blake Bingham took the assignment to come up with something to address fractional ownership. He learned in doing the research that the Town can not govern ownership. However, Huntsville can govern Land Use. He also amended the ordinance to address recreational amenities. Originally the change would have been made to 15.4 but Blake changed the wording to 15.6.2 with regards to single family dwellings. He added to letter A: "*No single-family dwelling shall be occupied by more than four families, or combination of unrelated groups, within a 12-month period.*" TCM Larel Parkinson stated that the ordinance change was good, but it goes back to enforcement.

TCM Blake Bingham also added letter “T” to address recreational facilities. The added language states:

Recreation facilities are only permitted on parcels with an existing single-family dwelling. The footprint of the recreation facility shall be included in the calculation of the total permitted coverage associated with the dwelling and other accessory structures as defined in Title 15.6.10.B.

PCM Sandy Hunter stated that it reads fine. PCM Parkinson stated he believed this applied to so few residents.

PCM Sandy Hunter motioned to recommend approval of Ordinance 2021-2-25: Amendments and Additions to 15.6 regarding fractional ownership and recreation facilities on an R-1 lot. PCM Larel Parkinson seconded the motion. Roll Call Vote. All votes Aye. Votes are reflected below. Motion passes.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Liz Poulter Commissioner Larel Parkinson Commissioner Sandy Hunter
NAYS:	

12-Public Comment. There were none.

13-Chairman’s Remarks. There were none.

14-Motion to adjourn.

PCM Sandy Hunter made a motion to adjourn the meeting. PCM Larel Parkinson seconded the motion. All votes Aye. Motion Passes.

Meeting is adjourned at 9:16 p.m.

Beckki Endicott, Recorder

Huntsville Town

Subdivision Application

Applicant Name: STEVE JOHNSONApplicant Mailing Address: [REDACTED]Email: [REDACTED] Phone: [REDACTED]Brief Description of Proposed Subdivision: LOT SPLITApplicant Signature: [Signature] Date: 2-4-21**Parcel Owner's Permission for Subdivision Application***The undersigned authorize this application for subdivision:*Parcel Number(s): 240140007 240140014Parcel(s) Owner Name: STEVE + KRISTIN JOHNSONParcel(s) Owner Mailing Address: [REDACTED]Email: [REDACTED] Phone: [REDACTED]Parcel Owner Signature: [Signature] Date: 2-4-21Title (Authorized Agent): [Signature]*The undersigned authorize this application for subdivision:*

Parcel Number(s): _____

Parcel(s) Owner Name: STEVE KRISTIN JOHNSON

Parcel(s) Owner Mailing Address: _____

Email: _____ Phone: _____

Parcel Owner Signature: _____ Date: _____

Title (Authorized Agent): _____

*(For Additional Parcel Owners Use Attached Sheet)***For Town Use:**

Application Date: _____ Fees Paid: _____

Beckki Endicott, Town Clerk

Huntsville Town Engineer – Final Plat & Final Improvement Plan

☐ Approved

☐ Conditional Approval

☐ Rejected

☐ Deferred

Town Engineer Signature: _____ Date: _____

Notes/Conditions: _____

Submission Requirements & Process:

- ☐ Completed & Signed Application Form
- ☐ Payment of Application Fee to Huntsville Town
- ☐ **Subdivision Preliminary Plan** requirements (see Titles 15.25.1 for all requirements):
 - Submit eight (8) copies of the Subdivision Preliminary Plan that includes the following:
 - Drawn to a scale no smaller than 100 feet to an inch.
 - The proposed named of the subdivision.
 - Sufficient information to accurately locate the proposed subdivision, including section corner ties.
 - The name(s) and address(es) of the subdivider, the licensed engineer (if required), and licensed land surveyor.
 - Land ownership of adjacent parcels to the proposed subdivision.
 - The boundary lines of the existing parcel(s) with bearings and distances.
 - The location of existing streets, water courses, irrigation ditches and structures, exceptional topography, easements and buildings within or immediately adjacent to the parcels being subdivided.
 - Existing and proposed septic systems, storm drains, water supply mains, water wells, land drains, and culverts within the parcel and immediately adjacent thereto.
 - North-pointing arrow, scale, and date of drawing creation.
 - A written Statement of Feasibility from the Weber County Health Department or Utah Division of Water Quality which states recommendations regarding sanitary sewage disposal.
 - The Subdivision Application and Subdivision Preliminary Plan must be reviewed by the Huntsville Planning Commission and approved by the Huntsville Town Council.
 - Approval the Subdivision Preliminary Plan by the Huntsville Town Council is valid for eighteen (18) months from the date of approval.
- ☐ **Final Plat** requirements (see Titles 15.25.1.8 for all requirements):
 - Submit four (4) copies of the Final Plat that includes all requirements outlined in Title 15.25.1.8.
 - A Letter of Certification by the subdivider's registered Land Surveyor, indicating that all lots meet the requirements of the Huntsville Town Land Use regulations.
 - The Final Plat must be recorded within eighteen (18) months from the date of approval of the Subdivision Preliminary Plan by the Town Council otherwise the subdivision application is considered void. A Subdivision Application that is considered void will require a new application with the accompanying appropriate fees.
- ☐ **Final Improvement Plan** requirements (see Titles 15.25.1.9 for all requirements):
 - Submit a complete set of Final Improvement Plans to the Huntsville Town Engineer stamped by a Utah Licensed Professional Engineer that includes all requirements outlined in Title 15.25.1.9.
 - Provide copies of utility contracts with applicable companies such as electric, gas, and telephone services.



PARCEL 1

PART OF WEBER COUNTY PARCEL NUMBERS 24-014-0007 AND 24-014-0037, SAID PARCELS BEING PART OF LOTS, 11 AND 18, BLOCK 3, PLAT B HUNSTVILLE SURVEY, ALSO DESCRIBED AS;

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 11 AND RUNNING THENCE S88°39'00"W 140.00 FEET; THENCE N01°06'58"W 142.00 FEET; THENCE N23°08'29"E 73.02 FEET; THENCE N01°06'58"W 142.00 FEET; THENCE N88°53'02"E 110.00 FEET; THENCE S01°06'58"E 350.00 FEET TO THE POINT OF BEGINNING. CONTAINING 43,781 SQUARE FEET OR 1.005 ACRES MORE OR LESS.

NOTE: THE PRECEDING LEGAL DESCRIPTION IS BASED ON COUNTY RECORDS AND DOES NOT REPRESENT A SURVEY ON THE GROUND.

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ogden@reeve-assoc.com • reeve-assoc.com



PARCEL 2

PART OF WEBER COUNTY PARCEL NUMBERS 24-014-0007 AND 24-014-0037, SAID PARCELS BEING PART OF LOTS, 11, 12, AND 18, BLOCK 3, PLAT B HUNSTVILLE SURVEY, TOGETHER WITH OTHER LANDS, ALSO DESCRIBED AS;

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 11 AND RUNNING THENCE N01°19'42"W 532.62 FEET; THENCE N71°20'16"E 301.47 FEET; THENCE S03°00'00"E 89.98 FEET; THENCE S01°06'58"E 182.39 FEET; THENCE S88°53'02"W 110.01 FEET; THENCE S01°06'58"E 142.00 FEET; THENCE S23°08'29"W 73.02 FEET; THENCE S01°06'58"E 142.00 FEET; THENCE S88°39'00"W 148.42 FEET TO THE POINT OF BEGINNING.

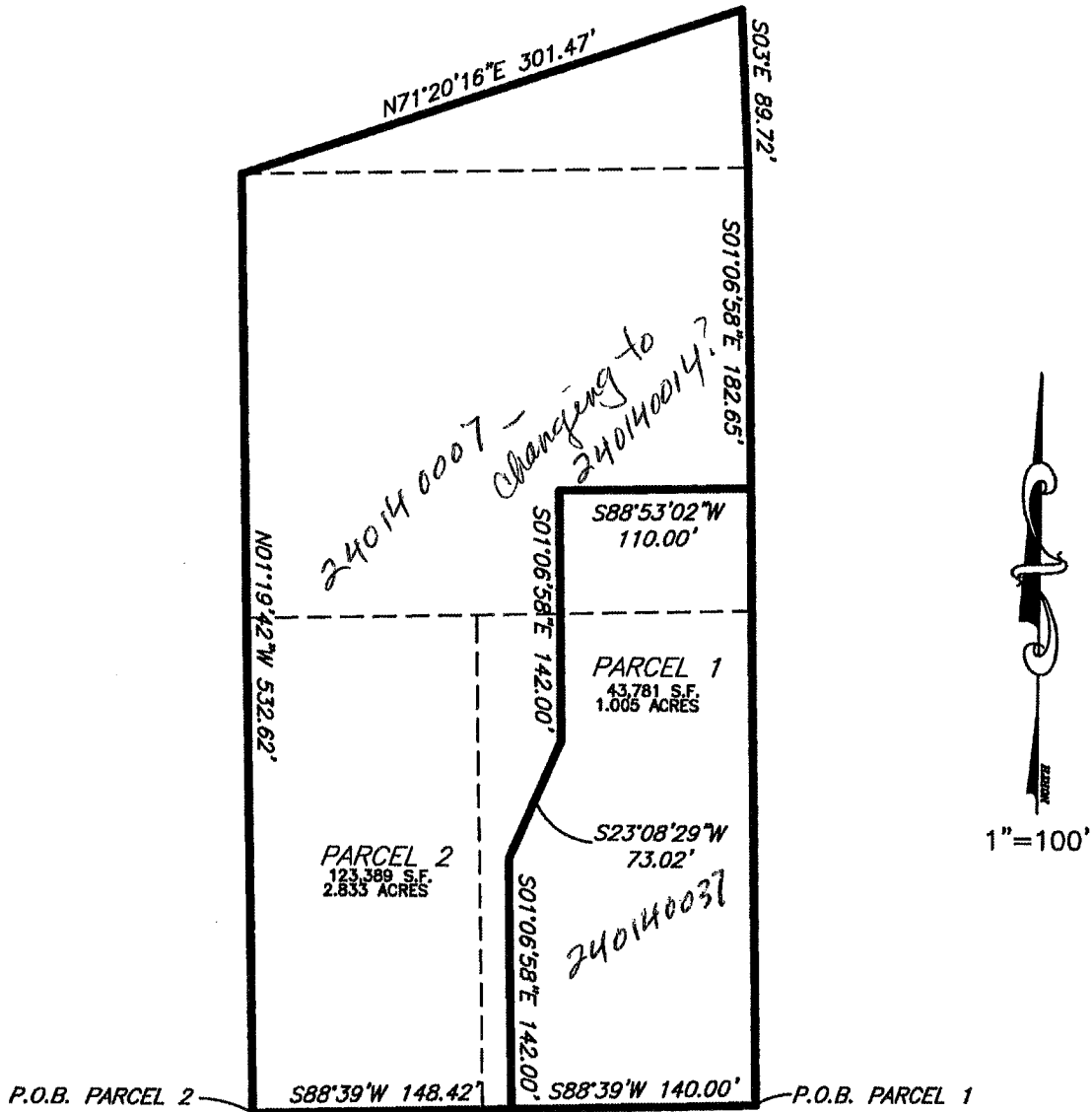
CONTAINING 123,389 SQUARE FEET OR 2.833 ACRES MORE OR LESS.

NOTE: THE PRECEDING LEGAL DESCRIPTION IS BASED ON COUNTY RECORDS AND DOES NOT REPRESENT A SURVEY ON THE GROUND.

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ogden@reeve-assoc.com • reeve-assoc.com

JOHNSON



**Reeve
& Associates, Inc.**

5160 S 1500 W, RIVERDALE, UTAH 84405
 TEL: (801) 621-3100 FAX: (801) 621-2866 www.reeve-assoc.com
 LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS
 TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

Project Info.

Designer: TJH
 Date: 3-8-21
 Name: JOHNSON
 Number: 6265-01
 Scale: 1"=100'

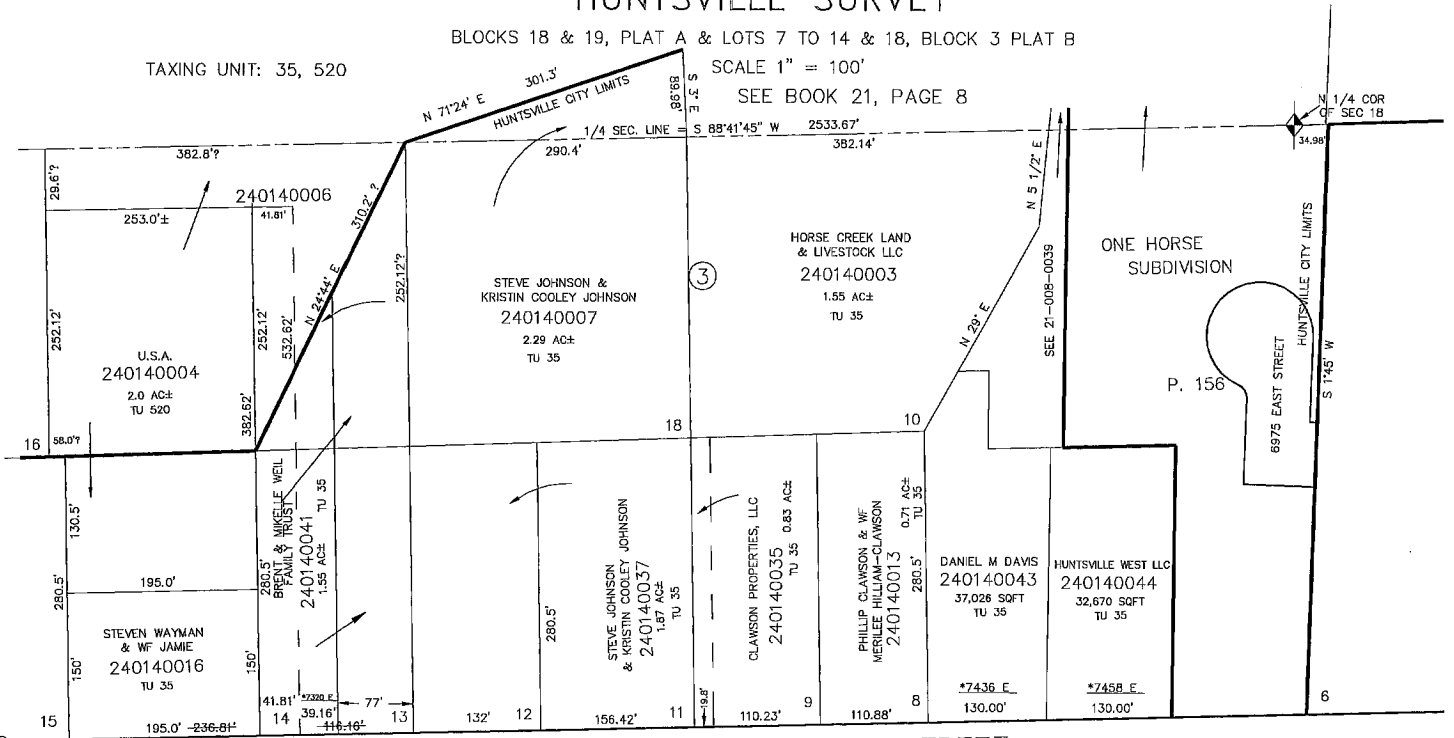
PART OF N. 1/2 OF SEC. 18, T.6N., R.2E., S.L.B. & M.
HUNTSVILLE SURVEY

BLOCKS 18 & 19, PLAT A & LOTS 7 TO 14 & 18, BLOCK 3 PLAT B

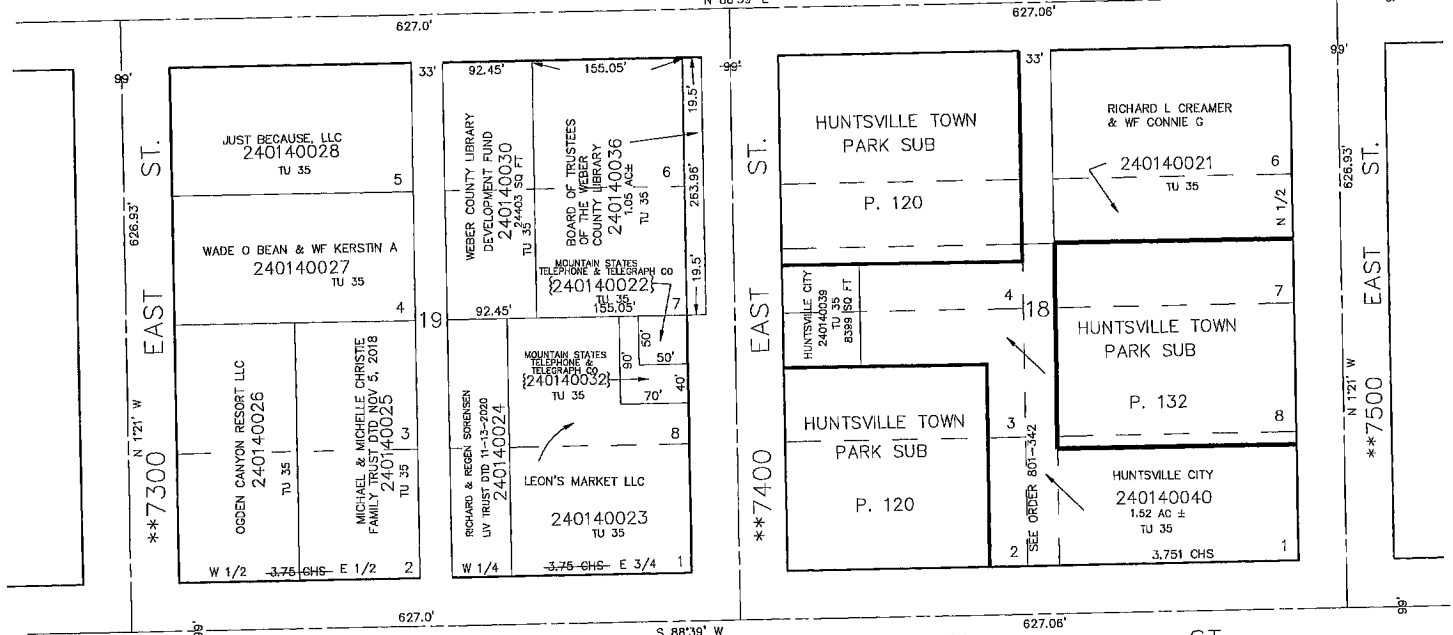
TAXING UNIT: 35, 520

SCALE 1" = 100'

SEE BOOK 21, PAGE 8



****FIRST STREET**



****200**

****SEE STREET NAME CHANGE E#2195484**

SEE PAGE 11

FOR TAX PURPOSES ONLY ADDRESS AFFIDAVIT E#3053132-3053134 E#3053136

*NOTE STREET NUMBERS ACCORDING TO COUNTY SURVEYOR

SEE PAGE 15

SEE PAGE 13



Phone 801.745.3420
Fax 801.745.1792
Web HuntsvilleTown.com

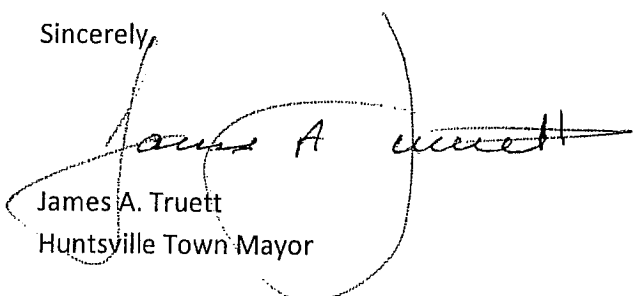
P.O. Box 267
Huntsville, UT 84317

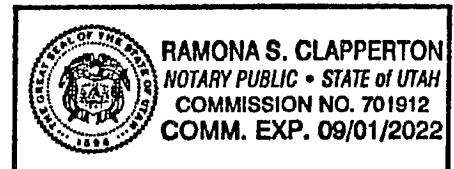
September 9, 2019

To Whom It May Concern:

This letter is to certify that Huntsville Town owes Steve and Kristen Johnson one (1) culinary water hookup for their parcel number (240140007) located in Huntsville Town. When you decide to build or subdivide this parcel you will be given this water connection. You will need to pay a water connection fee, currently \$350.00. If the parcel number changes you will let the Town know so that we can align the parcel number with water connection for our records.

Sincerely,


James A. Truett
Huntsville Town Mayor



September 9, 2019
Ramona S. Clapperton